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9 [Additional Counsel on Signature Block]

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 **IN RE MARATHON DIGITAL HOLDINGS,  
13 INC. DERIVATIVE LITIGATION**

14 Lead Case No. 2:23-cv-01055-RFB-BNW

15 **PLAINTIFFS' STATUS REPORT**

16 This Document Relates to:

17 **ALL ACTIONS**

18 Plaintiffs Steve Hood and Gary Konigsberg (“Plaintiffs”) respectfully submit this status report  
19 pursuant to the Court’s Order entered on August 14, 2023 (“Consolidation Order”). ECF No. 39.

20 The Consolidation Order states, “that within fourteen (14) days of consolidation and then  
21 selection of lead counsel for Plaintiffs in the consolidated action, the Parties shall meet and confer  
22 and submit a proposed schedule for the filing of a consolidated complaint and answers, motions to  
23 dismiss, and/or other responses.” Consolidation Order, 3:5-8.

24 On April 1, 2024, the Court entered an order appointing lead counsel for Plaintiffs in the  
25 consolidated action (“Lead Counsel Order”). ECF No. 43.

26 Therefore, pursuant to the Consolidation Order, today, April 15, 2024, is the deadline for the  
27 Parties to meet and confer and submit a proposed schedule for the filing of a consolidated complaint  
28 and answers, motions to dismiss, and/or other responses. The Parties have met and conferred via

1 exchanges of emails and participating in telephone calls since the Lead Counsel Order was entered,  
2 but they have not yet agreed upon a proposed schedule.

3 Plaintiffs respectfully request the Court to provide an extension of thirty (30) days for the  
4 Parties to meet and confer to jointly submit a proposed schedule, and Defendants do not oppose this  
5 request.

6 Dated: April 15, 2024

7 **LEVERTY & ASSOCIATES LAW CHTD.**

8 By: /s/ Patrick R. Leverty

9  
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24 *Attorneys for Plaintiff*

25 **ORDER**

26 IT IS SO ORDERED. The Parties shall jointly submit a proposed schedule within thirty (30)  
27 days of the date of this Order.

28 DATED: April 16, 2024



29 UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

2 On April 15, 2024, I served the foregoing document on all parties appearing in this case when  
3 filing said document through the court's PACER system with automatic e-service on all persons who  
4 have registered for e-service on PACER for this case.

/s/ Patrick R. Leverty  
Patrick R. Leverty